



# Andover Town Council

Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

Item  
No.  
**30**

**Produced for:** Full Council

**By:** Town Clerk.

**Date of Report:** 9 May 2023

## Background:

Standing Orders require that Council review periodically the expenditure incurred under the Local Government Act 1972, section 137. This piece of legislation is known as the "Power of Last Resort" and is only used when there are no other powers to allow Council to incur expenditure under. There are limits to how much spending can be incurred under this power, and the 2022/23 limit is £8.82 per elector.

## Information to note:

Andover Town Council in the financial year 2022 – 2023, had confirmed eligibility for the General Power of Competence. This piece of legislation is known as the "Power of First Resort" and effectively means that all expenditure can be authorised using this power, unless there is other legislation preventing spending on the intended items.

**It negates the need to use s.137 at all and Andover Town Council have therefore not spent funds under section 137 in 2022-23.**

## Legal and Policy Implications

- Andover Town Council has a duty to track spending under this power and provide accurate expenditure reporting as the JPAG regulations.

## Recommendations

- **To note that the Council have not incurred expenditure under section 137.**